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COMMONWEALTH OF VIRGINIA

Department of Mines, Minerals and Energy

Division of Mined Land Reclamation

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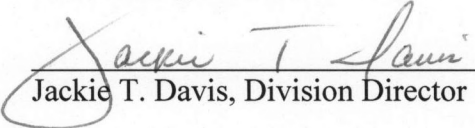
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MEMORANDUM

TO: Coal Mining Permittees

FROM: 
Jackie T. Davis, Division Director

SUBJECT: TDS/TSS Monitoring Program

DATE: March 30, 2009

This memorandum supersedes the January 5, 2009 memorandum outlining new monitoring requirements related to Total Maximum Daily Load (TMDL) development issues. The Division of Mined Land Reclamation (DMLR) has determined that Total Suspended Solids (TSS) monitoring should be conducted in addition to Settleable Solids (SS) for all samples collected for alternate effluent limits during qualifying precipitation events.

DMLR will now require permittees to analyze for TSS during qualifying precipitation events in addition to SS in the situations noted below:

- The additional TSS sampling requirement is for all National Pollutant Discharge Elimination System (NPDES) discharges in TMDL watersheds where TSS is a stressor and impaired watersheds where resource extraction is listed as causing the impairment.

It is important that TSS monitoring be done because TSS is currently not accounted for when alternate effluent limits are utilized and the additional TSS data will be utilized for TMDL development. **The permittee can still utilize the alternate effluent limit for SS during a qualifying precipitation event even if the TSS concentration exceeds 70 mg/L.** Additionally, the current requirement to monitor Total Dissolved Solids (TDS) in TMDL watersheds where TDS is identified as a stressor has been expanded to impaired watersheds where Aquatic Life use impairments are identified.

Item (m) of the standard NPDES Permit Conditions issued to all permits includes authority by DMLR to require the necessary information to accomplish the purpose of the Clean Water Act. Therefore, NPDES permittees must conduct the additional TSS monitoring for all NPDES outfalls permitted by DMLR that are within TMDL watersheds with TSS as a stressor. Currently, these watersheds are as follows:

- Dumps Creek
- Lewis Creek
- Callahan Creek
- Russell Prater Creek
- Straight Creek
- Guest River
- Pawpaw Creek
- Lick Creek

Additionally, impaired watersheds (and any future stream segments that may be listed) where Aquatic Life use impairment is listed are required to include both the TSS and TDS sampling requirements described above. Companies will receive lists of the specific NPDES outfalls affected. Sampling should be initiated by April 1, 2009 and continued until further notice.

The TSS and TDS sample collection, analysis and reporting, should be conducted at the same frequency as the currently approved NPDES monitoring plan for each permitted outfall. Every effort should be made to collect these samples during storm events whenever possible. Sample results will be submitted to DMLR with the regular NPDES monitoring data. In addition to the regular delinquent monitoring report, DMLR will review the submitted TSS and TDS data to ensure compliance with this notice. Please contact Michael Smith at (276) 523-8258 should you have any questions.

c: Allen Newman